

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD F. MARTINEZ,

Plaintiff,

v.

C. RIOS,

Defendant.

No. 2:24-cv-2474 DAD SCR P

FINDINGS AND RECOMMENDATIONS

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action under 42 U.S.C. §1983. On September 17, 2024, this court ordered plaintiff to submit within thirty days either a motion to proceed in forma pauperis or the filing fee. Plaintiff was advised that his failure to comply with the September 17 order would result in a recommendation that this action be dismissed.

Thirty days have passed and plaintiff has not filed a motion to proceed in forma pauperis, submitted the filing fee, or otherwise responded to the September 17 order.

Accordingly, IT IS HEREBY RECOMMENDED that this case be dismissed without prejudice for plaintiff's failure to comply with court orders. See Fed. R. Civ. P. 41; E.D. Cal. R. 110.

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days

1 after being served with these findings and recommendations, plaintiff may file written objections
2 with the court. The document should be captioned “Objections to Magistrate Judge's Findings
3 and Recommendations.” Plaintiff is advised that failure to file objections within the specified
4 time may result in waiver of the right to appeal the district court’s order. Martinez v. Ylst, 951
5 F.2d 1153 (9th Cir. 1991).

6 DATED: October 31, 2024

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9 SEAN C. RIORDAN
10 UNITED STATES MAGISTRATE JUDGE
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